

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**TRIGINAL JACKSON,**

**Petitioner,**

**v.**

**No. 12-cv-0543 LH/SMV**

**N.M. DEP'T OF CORR. PROB. & PAROLE;  
N.M. ATTORNEY GEN.;**

**Respondents.**

**ORDER DENYING MOTION FOR APPEAL BOND**

THIS MATTER is before the Court on Petitioner's Motion for Federal Writ of Certiorari [Doc. 19] and his Motion in Support of Appeal Bond [Doc. 20] (collectively, "Motion for Appeal Bond" or "Motion"), filed on July 3 and 11, 2012, respectively. Defendants have filed no response. The Court, being fully advised in the premises, FINDS that the Motion is not well-taken and should be DENIED.

Petitioner asks the Court to order an "appeal bond." Motion [Doc. 19] at 6–7, [Doc. 20] at 1. The Court infers that Petitioner requests the Court to order him released from state custody on bond pending appeal of his state criminal case(s).<sup>1</sup> To the extent that Petitioner moves this Court for review of state-court orders on bond, the Motion is meritless because it is beyond the scope of this habeas corpus proceeding and inconsistent with the principles of comity. *See generally Bond v. State of Okla.*, 546 F.2d 1369, 1377 (10th Cir. 1976) (questions of state law that present no federal constitutional issue are not cognizable in federal habeas action).

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<sup>1</sup> The request is curious because it appears from the record in this Court that Petitioner is not currently incarcerated. *See* Motion [Doc. 20] at 2–3.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Petitioner's Motion for Federal Writ of Certiorari [Doc. 19] and his Motion in Support of Appeal Bond [Doc. 20] are **DENIED**.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

**STEPHAN M. VIDMAR**  
**UNITED STATES MAGISTRATE JUDGE**